

**MINUTES OF THE
CITY OF SANTA FE
PUBLIC WORKS/CIP & LAND USE COMMITTEE
Monday, March 10, 2003**

1. CALL TO ORDER

A meeting of the Public Works/CIP & Land Use Committee was called to order by Chair Karen Heldmeyer at 5:15 p.m., on March 10, 2003, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

1. ROLL CALL

MEMBERS PRESENT:

Councilor Karen Heldmeyer, Chair
Councilor Patti J. Bushee
Councilor Miguel M. Chavez
Councilor David Coss
Councilor David Pfeffer

OTHER GOVERNING BODY MEMBERS ATTENDING:

Councilor Rebecca Wurzbarger

OTHERS ATTENDING:

Mike Lujan, Director of Public Works
Therese Prada, Public Works Department
Robert Romero, City Engineer
Joseph Abeyta, Project Manager, Water Budget Office
Jon Bulthuis, Planner Supervisor
Rick Devine, Traffic Engineer's Office
Carrie LaCrosse, Traffic Calming Planner Supervisor
John Nitzel, Traffic Engineer
Jeannie Price, Senior Planner
Bill Rougemont, Recreation Division Director
Gilbert Sandoval, Director Property Control Division
Melessia Helberg, Stenographer

1. APPROVAL OF AGENDA

Mr. Lujan said the funding recommendation in Item #6 on the Consent Agenda has changed in the staff report, as indicated in the memorandum which was handed out at the

beginning of the meeting. He said the applicant has requested that Item #15 be postponed indefinitely.

MOTION: It was moved by Councilor Chavez, seconded by Councilor Coss, that the Agenda, as amended, be approved.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

1. APPROVAL OF MINUTES, FEBRUARY 24, 2003 MEETING

The following corrections were made to the minutes:

Page 8, Paragraph 4 under Item #9, correct as follows: "...has been on ~~KSVE~~ KSWE

Page 15, Paragraph 3, correct as follows: "...we will be hearing ~~move~~ more on the..."

MOTION: It was moved by Councilor Pfeffer, seconded by Councilor Chavez, that the minutes of the February 24, 2003, Public Works Committee Meeting be approved as corrected.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

1. APPROVAL OF CONSENT AGENDA

The Consent Agenda was approved as follows:

CONSENT AGENDA

1. *[Removed to Discussion Agenda by Councilor Pfeffer]*

1. REQUEST APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF SANTA FE, THE COUNTY OF SANTA FE AND THE SANTA FE SOLID WASTE MANAGEMENT AGENCY, FOR FUNDING OF THE HOUSEHOLD HAZARDOUS WASTE DROP OFF DAY, APRIL 27, 2003. (BILL DE GRANDE)

1. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT (PSA) FOR THE HOUSEHOLD HAZARDOUS WASTE DROP OFF DAY SCHEDULED FOR APRIL 27, 2003. (BILL DE GRANDE)

1. REQUEST APPROVAL OF THE SANTA FE MUNICIPAL AIRPORT STORM

WATER POLLUTION PREVENTION PLAN (SWPP).

- **REQUEST APPROVAL OF SUBMISSION OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) NOTICE OF INTENT (NOI) FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE MULTI-SECTOR NPDES GENERAL PERMIT. (JIM MONTMAN)**

All packet material for items on the Consent Agenda, are incorporated herewith to these minutes as Exhibit "1."

MOTION: It was moved by Councilor Chavez, seconded by Councilor Pfeffer, that the Consent Agenda as amended be approved.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

INFORMATIONAL AGENDA

10. BUS STOP ACCESSIBILITY ISSUES -- A.D.A. COMPLIANCE (JON BULTHUIS)

Memorandum dated March 3, 2003, with attachments, to the Public Works Committee, from Jon Bulthuis, Planner Supervisor, is incorporated herewith to these minutes as Exhibit "2."

Statement for the record from Dave McQuarie, is incorporated herewith to these minutes as Exhibit "6(A)."

Mr. Bulthuis said in response to comments made by Mr. Dave McQuarie at the previous Public Works Committee meeting, retrofits are in process at two of the art shelters that were noted as not being in compliance with the ADA, specifically the shelter on Cerrillos Road at Guadalupe Street, and the shelter on Agua Fria near Kathryn. In addition, the design of new pads to be placed at Santa Fe High on Siringo Road and at the Mid-School on Llano Street, are being reviewed for ADA compliance. He said the Division has a longer term project to look at accessibility issues throughout the system, and determine a needs analysis and budget to bring the system fully into compliance with ADA.

Councilor Coss asked how long it will take to determine full compliance with ADA. Mr. Bulthuis said the longer term project is planned to begin in July 2003, in the next fiscal year, although it could be done sooner. He said staff will be working with the Mayor's Committee on Concerns of People with Disabilities as well as a third party vendor/contractor to assist in an assessment of sites. He said there will be a field review and development of a report which would take about 4-6 months, so there should be a good idea by the end of December about where improvements are needed and the costs of those improvements.

Councilor Coss asked if there is a preliminary assessment which gives a starting point.

Mr. Bulthuis said the preliminary stops identified were the two art shelters, but there have been no other specific shelters or sites identified, although he believes there are more.

Councilor Coss asked Mr. McQuarie if he has a list of stops. Mr. McQuarie said he doesn't have such a list, and agrees with Mr. Bulthuis's summation that it will take a while to decide which stops need improvement. He wants to be sure that all new stops built are in compliance instead of having to back and make these improvements.

Councilor Coss asked if all the new stops being installed with the Cerrillos Road project are in compliance. Mr. Bulthuis said he believes that they are.

Chair Heldmeyer asked what kinds of procedures are now in place for new bus stops and other public works projects to ensure that we won't be retrofitting. Mr. Bulthuis said staff is working on a direct contact with the ADA liaison who works in CIP, and staff will make a direct contact with that person in CIP when new stops and projects come on line.

Chair Heldmeyer said it is required, by resolution, that projects over a certain amount should go before the Mayor's Committee on Concerns of People with Disabilities.

10. **GRAFFITI UPDATE)GRAFFITI TASK FORCE/CITY MANAGER'S OFFICE)**

Memorandum dated March 3, 2003, with attachments from Graffiti Task Force/City Managers Office, to the Public Works Committee, is incorporated herewith to these minutes as Exhibit "3"

Staff reported as follows:

Graffiti Hotline is in operation, being used, and monitored from 7:00 a.m. to 4:00 p.m. daily.

Graffiti Website is ready to be put into service and should be ready sometime this week.

Graffiti Ordinance containing the requested changes is attached to the Memorandum.

Database is complete and in use, noting that 393 locations have been cleaned.

Cross training with the Municipal Courts staff for Hat Project beginning this weekend

Councilor Bushee said there is one particular location downtown on Alameda which has not been cleaned, and has been defaced for a long time. She has repeatedly reported this location which is at the Mediterranean Café on the corner of Alameda and Galisteo. Staff said this is in the fenced-in area and no one is available during the day, and it is necessary to jump the fence to get to that area. Councilor Bushee said this business is owned by the owner of Evangelo's, and

suggested calling there.

Councilor Bushee asked if there are adequate resources to do clean up. Staff said there are with the changes that have been made there is adequate manpower and supplies.

Councilor Chavez stated for the record that he is willing to co-sponsor this Ordinance, and invited anyone who would like to sign onto the ordinance to help move it along.

Ms. Price asked if this can be presumed to be a pass-out of the Ordinance and review by this Committee, or it can be brought back to this Committee for review. Once approved by this Committee and review, then there can be a Request to Publish.

Councilor Chavez said then we are still working under the old ordinance, and asked if that will be sufficient for now. Ms. Price said it will be.

Chair Heldmeyer said she understands the Public Safety Committee wants to review the ordinance.

Councilor Chavez said this Committee is a place to distribute the ordinance, and then to Public Safety. Any amendments can be made prior to going before the full Council. Councilor Chavez said it should go to Public Safety and then do a Request to Publish.

Ms. Price said there are a lot of changes, such as changing the time period from 20 days to 10 days, and locking up or visually controlling spray paint. She said the language has been completely rearranged in the code book, and at the request of the City Attorney she has clarified which things can be done through Municipal Court as opposed to District Court. She noted that Municipal Court doesn't have the jurisdiction to make someone pay for the damages done by the graffiti.

Chair Heldmeyer asked Councilor Chavez if he is comfortable in sending the ordinance in its current form to Public Safety, and then back to this Committee for approval of a Request to Publish, and then on to the full Council. Councilor Chavez said this is a good process.

Judge Frances Gallegos said this is the first time she has seen the ordinance. She said a criminal complaint is heard in Municipal Court – the actual act of graffiti, as well as selling glue or paint to anyone under the age of 18. Complaints for restitution would be held as civil litigation in Magistrate Court which deals with civil litigation.

Councilor Chavez asked Ms. Price if the ordinance needs to be amended in line with Judge Gallegos' suggestions. Ms. Price said the ordinance provides that the regular violation of City Code goes through Municipal Court, but that restitution will have to go to another Court. She was told by the City Attorney that restitution complaints would go to the District Court rather than District Court. She will recheck with the City Attorney to clarify this issue.

Councilor Chavez asked Judge Gallegos to prepare a written response and suggestions on how she believes the ordinance can be improved so it works in her Court. Judge Gallegos said she would like the fines, penalties and jail time for offenses to be included in the ordinance. She requested a copy of the proposed ordinance.

Councilor Coss said out of all the incidents, that James reported 76 and George Johnson reported 47. He commended staff and Mr. Johnson for its work. He asked if the general public knows about the hotline. James said it is published in the phone book, which transfers over to the new Graffiti Hotline.

Chair Heldmeyer asked the new Graffiti Hotline number and the website address have been advertised. James said staff is waiting for printing of the bumper stickers and posters. Councilor Bushee suggested using community service announcements and a small ad in the newspaper.

Councilor Chavez asked Ms. Price and staff to work with the Municipal Court for any language changes prior to sending this ordinance to Public Safety. Ms. Price will do so.

10. SALVADOR PEREZ SWIMMING POOL, CIP #531

- **STATUS OF POOL LINER REPAIR**
- **POSSIBLE ALTERNATIVES TO THE POOL CLOSURES AND SCHEDULED (RON SHIRLEY)**

Memorandum dated March 4, 2003, with attachments, to the Public Works/CIP and Land Use Committee, from Ron Shirley, Parks & Recreation Department Director and Bill Rougemont, Recreation Division Director, is incorporated herewith to these minutes as Exhibit "4."

Mr. Rougemont said Mr. Shirley had an emergency and asked him to attend on his behalf. Mr. Rougemont said staff met with CIP and with the Lone Mountain contractors. It has been determined that we need to get the outstanding items done by the first week in April.

Mr. Rougemont said after speaking with CIP, it has been determined that it isn't necessary to close the fitness portion of the facility to do the repairs, only the pool needs to be closed. It is planned, after notice from the contractor, to advertise the closure of the pool through flyers, notify customers at the counter as well to do as a series of PSA's in the news media.

Chair Heldmeyer asked Mr. Rougemont why he believes the repairs can be done in 2-3 weeks, when previously it took a great deal of time to do the repairs. Mr. Rougemont said the previous repairs were more extensive and dealt with replacing of the drains and trenching which won't be done. He said the contractor will be straightening the liner – remove the wrinkles. The contractor also will look at the drain which has some rusting. He said it doesn't appear that there will be any major work, just patching, fixing the wrinkles, replacing some screws.

Chair Heldmeyer asked if the liner will be cut and resealed, and asked how will the wrinkles be removed. Mr. Rougemont doesn't know, a proposal hasn't been received, although he believes it will just be patching. There are a few places where the contractor patched which need to be reworked.

Chair Heldmeyer said previously she was told that the big wrinkles wouldn't interfere with the function of the pool although they have. The contractor has done patches which already need to be repaired which doesn't give her optimism about doing these repairs in 2-3 weeks, nor about things being done right. This is the third time repairs have been made.

Chair Heldmeyer said these repairs are all being done "on the contractor's dime." Mr. Rougemont said the City still owes the contractor a portion of their money and these repairs will be deducted from that. Chair Heldmeyer asked if the contractor is reimbursing the City for the loss of revenue during down time on the pool. Mr. Rougemont has been asked to compile these numbers, and in replacing the water that has been used. Chair Heldmeyer asked what will be done with the water. Mr. Rougemont said it will be used at the parks, and watering medians. There is a proposal from the film industry to use Tino Griego for some filming, and although this isn't a formal proposal it is thought the water might be transported there. The contractor will be responsible for that.

Mr. Lujan said it is important to pursue reimbursement for lost revenue. He said we want to be sure, from a legal standpoint, that we are covered under this proposal.

Chair Heldmeyer suggested that when finished, that CIP may want to do a case analysis of why this turned out to be such a boondoggle, and how we can prevent such things from happening in the future.

Councilor Bushee said it is amazing how much money has gone into improving this facility which is a great facility. She said there have been other projects where we have had great problems, citing the library and library roof. She thought when we moved to project management that process was supposed to resolve these things in terms of follow-through on details. She is going to be hesitant to vote for many more public projects unless there are serious warranties into the future.

Mr. Lujan agrees, saying staff will come forward with an analysis and recommendations as to what it believes is appropriate as we move forward.

Councilor Bushee asked if there is a firm to hold accountable for these repairs. Mr. Rougemont said the bond money is being withheld from the contractor and repairs will be deducted from funds owed to the contractor. Councilor Bushee asked if there is enough money

to cover the repairs. Mr. Rougemont is unsure.

Mr. Romero said the contractor was owed \$17,000 which wasn't paid because of the problems. Letters were written to their bonding company which resulted in an immediate response by the contractor to fix the problem. The City Attorney has said as long as the contractor says it can fix the problem and give us a warranty, we have to let them fix it. The original warranty on the liner expires in 2007. He said staff pursued a new liner and wanted the contractor to pay for that. The City Attorney said as long as the contractor says they can fix it we have to let them fix it. The contractor isn't charging us anything so we have to let them do it.

Councilor Bushee asked if we can withhold funds. Mr. Romero said we are withholding \$17,000. Councilor Bushee asked how long we can hold this money. Mr. Romero said staff is looking at hiring an expert in pool repair to look at the repairs to ensure that it was done correctly. Councilor Bushee asked if there is someone in Procurement or Legal who are looking at these contracts to ensure that we have the best of guarantees and the best legal mechanisms to uphold them. Mr. Romero said the liner had a warranty until 2007, so it wasn't part of the original contract to do a new warranty. There is language in the contract that provides that they have to uphold the existing warranty.

Councilor Bushee asked Mr. Romero to follow-up with whoever is responsible in the City so we have a good solid legal basis and warranties for contracts. Mr. Lujan will follow-up with Kathryn Raveling in this regard. He said there are recent changes to the Procurement Code which will allow disbarment for very valid reasons and staff will be following up on that as well. Mr. Lujan said this means that the City can disbar contractors with the City of Santa Fe. Chair Heldmeyer said it will be public information for other municipalities to use.

Councilor Chavez agrees with Councilor Bushee. He believes that much of this is in the procurement area, and said this needs to be more performance based. He said sometimes favoring a low bidder isn't always the best because we get lots of change orders and we get "nickel and dimed to death," on the large projects. He would like to do things differently on the front end, commenting that disbarment happens after things have fallen apart.

Mr. Romero agrees, saying now we must deal with the lowest bidder. Councilor Chavez asked if we can insert performance-based criteria so we have a mechanism to ensure we get quality products.

Chair Heldmeyer said if a contract is correctly written, it is not necessary to give a contractor an infinite number of changes to get things right. The contract would be time-limited, and the number of attempts would be limited.

Mr. Rougemont said since the renovations have been done, there has been a doubling of revenue from the use of the pool.

DISCUSSION AGENDA

6. **RUFINA STREET EXTENSION AND DRAINAGE PROJECT, CIP #826**
- ~~**REQUEST APPROVAL OF FINAL CHANGE ORDER WITH CONDORE CONSTRUCTION IN THE AMOUNT OF \$261,888.78 INCLUDING NMGRT.**~~
 - ~~**REQUEST APPROVAL OF FUNDS FROM BUSINESS REVENUE UNIT AND LINE ITEM 32310.57290 IN THE AMOUNT OF \$118,920.00.**~~
 - ~~**REQUEST APPROVAL OF THE USE OF CIP REALLOCATION FUNDS TO BE TRANSFERRED INTO BUSINESS REVENUE UNIT AND LINE ITEM 32310.572970 IN THE AMOUNT OF \$142,967.78 FOR THIS FINAL CHANGE ORDER. (ROBERT ROMERO)**~~
 - **REQUEST APPROVAL OF FINAL CHANGE ORDER WITH CONDORE CONSTRUCTION COMPANY FOR ADJUSTED FIELD QUANTITIES, IN THE AMOUNT OF \$261,888.78.**
 - **REQUEST APPROVAL OF THE FUNDS FROM BUSINESS REVENUE UNIT AND LINE ITEM 32310.572970 IN THE AMOUNT OF \$118,920 WITH A BUDGET ADJUSTMENT OF \$35,690.**
 - **REQUEST APPROVAL OF BUDGET INCREASE TO BUSINESS REVENUE UNIT AND LINE ITEM 32310.572970 IN THE AMOUNT OF \$254,045.36 FROM BUSINESS REVENUE UNIT 52300, WATER OPERATIONS TO REIMBURSE PROJECT TO COVER FINAL CHANGE ORDER.**

Memorandum dated March 3, 2003, to the Public Works Committee, with attachments, from Michael Vargas, Project Manager, to the Public Works/CIP & Land Use Committee, is incorporated herewith to these minutes as Exhibit “5.”

Memorandum dated March 10, 2003, to the Public Works Committee, from Michael Vargas, Project Manager, to the Public Works/CIP & Land Use Committee, is incorporated herewith to these minutes as Exhibit “5(A).”

Mr. Romero said the new information [see Exhibit “5(A)”] is that Kathryn Raveling was able to find funds in the water operation in the Water Division for this purpose. She recommended that the funds for this purpose come from water operations rather than from CIP funds.

Councilor Chavez asked how these funds “magically” appeared, noting that \$10.5 million was taken from CIP to go to the water division which is an enterprise fund. Mr. Romero said this isn’t coming from CIP, but from water operations which is the black right now. He said in June 2000 there was a recommendation from the Governing Body that the water division reimburse CIP for these funds.

Councilor Chavez said this is an Albuquerque contractor, and asked if this contractor is paying the gross receipts on this project in Santa Fe, or in Albuquerque. Mr. Romero doesn't know, but he will speak with Ms. Raveling and get an answer by the time this goes to Finance. Mr. Lujan believes the gross receipts are being paid in Santa Fe, but he will confirm that. Councilor Chavez said we need to establish consistency in this regard.

Councilor Chavez said there are some Change Orders which don't pay gross receipts, and asked if some of those not charged gross receipts is because they are included in the overall scope of the project. Mr. Romero said this is correct. He said he would have to pull up each change order to verify this.

Councilor Chavez said the residents along Rufina and South Meadows are in the unincorporated part of the County, and asked if these individuals are already on the City system or will they be future customers. Mr. Romero said these residents are already on the City system.

Councilor Coss asked Mr. Lujan to find out if Finance intends that the first transfer of \$254,000 from water operations will be the first payment on the payback of the \$10.5 million. Mr. Lujan will get a definitive answer. However, his initial thought is that these funds are coming from cash balances and not intended as a payback.

MOTION: It was moved by Councilor Chavez, seconded by Councilor Coss that the request for the change orders for the Rufina extension and drainage project CIP #826, as amended and recommended by staff in the Memorandum dated March 10, 2003, be approved as follows:

- Rufina Street Extension and Drainage Project, CIP #826
- Approval of Final Change Order with Condore Construction Company for adjusted field quantities, in the amount of \$261,888.78.
 - Approval of the funds from business revenue unit and line item 32310.572970 in the amount of \$118,920, with a budget adjustment of \$35,690.
 - Approvals of budget increase to business revenue unit and line item 32310.572970 in the amount of \$254,045.36 from business revenue unit 52300, Water Operations to reimburse project to cover final change order.

and that staff be requested to verify that the gross receipts taxes were paid, and that information be provided with regard to whether or not these funds are to be considered as part of the payback to CIP from the Water Division, and this information be available by the time this is heard by the Finance Committee.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

13. GRANT AVE./SANDOVAL STREET IMPROVEMENT PROJECT CIP#851-A
• **REQUEST APPROVAL OF SCHEMATIC DESIGN ALTERNATIVE.**
(RICK DEVINE)

THIS IS A PUBLIC HEARING

Memorandum dated March 3, 2003, to the Public Works Committee, with attachments, from Rick Devine, Engineering Supervisor, Transportation Engineering Division, is incorporated herewith to these minutes as Exhibit "6."

Mr. Devine said the Council approved a professional service contract with Tierra Lopez Garcia Group for the design engineering for the Grant Avenue/West Sandoval Street Improvement Project. The first phase is the schematic design, the second phase is the final design. We are now at the end of the schematic design phase, and are presenting the results and recommendations of the schematic design phase.

Mike Gomez of Tierra presented a photograph of the area of prime concern for the Committee. A public hearing was held on December 4, 2002. Flyers were prepared and Tierra also handed them to all of the people in the area. There was a good turnout and good input at the public hearing. Two alternatives have been prepared. He said the focus seems to come down to the number of parking spaces which will be lost for the project.

Mr. Gomez said after the two alternatives were prepared, Santa Fe County was concerned with the alternatives, especially with Alternative #1 which had the most lost parking. Mr. Gomez said Tierra appeared before the County Commission on February 25, 2003, to update the Commissioners on the project and to present data used in the design of the project. He said the Board of County Commissioners seemed to be in favor of Alternative #2.

Mr. Gomez referred to Sheet 1-2 in the packet, the vicinity map, which shows the key areas of pedestrian-generating traffic. He said the O'Keeffe Museum is generating substantial traffic in the area, noting that data from the traffic counts is in the packet. He said pedestrian traffic is being routed through Burro Alley from the Sandoval Parking Garage. The Sweeney Convention Center also may be a large generator of pedestrian traffic. The Plaza also generates significant pedestrian traffic. The traffic counts were done on August 6, 2002, and the results are in the packet. Mr. Gomez reviewed the data from the traffic count. He said this data is the reason why Alternative #1, with parallel parking was developed.

Mr. Gomez said there is angled parking in front of the County Courthouse and the most traffic volume goes southbound. He said there have been a considerable amount of vehicular and pedestrian accidents in this area. He said there are a number of vehicles making illegal U-turns to gain access to the angled parking. He said, from a traffic engineering point of view, Alternative #1 is the one being sought for approval.

Mr. Gomez said the traffic counts done in November 2002, are contained on Sheet 1-6 in the packet, and show the traffic data crossing from Burro Alley to the Courthouse. Mr. Gomez reviewed this traffic data which is demonstrated in 15 minute increments. He said the highest period of use is during the lunch area when there were 40 pedestrians in 15 minutes. He said there were 708 pedestrians from 7:30 a.m. to 5:00 p.m. Mr. Gomez said the remainder of the

counts demonstrate the traffic on the other crosswalks in the area, which is contained on Sheets 1-7, 1-8 and 1-9. He said tour buses parking in the area and unloading passengers contribute to much of the pedestrian traffic to the O'Keeffe Museum.

Mr. Gomez reviewed Alternative #1. He said to minimize the amount of time the pedestrians are in harms way, bulb-outs are being used at many locations to reduce the length of the street crossing. The driving lanes are proposed to be narrowed. There will be new, ADA accessible ramps at all locations.

Mr. Gomez reviewed Alternative #1. This basically follows the existing parking pattern, with some spaces lost for bulb-outs and to make the parking in front of the Courthouse ADA accessible. He said almost everyone is in favor of the median which has been included in both alternatives.

Public Hearing

Tony Flores, Project Director for Santa Fe County, said Santa Fe County is in favor of a traffic calming plan and increasing pedestrian safety in the downtown area, and appreciates the County being included in the discussions and for hearing our concerns and trying to work out an allowance for the taking of the proposed parking. Mr. Flores said the County Commission and the elected County officials favor Alternative #2. He said both the County Clerk and County Treasurer have adamantly insisted that the parking in front of the Courthouse remain angled parking, so that people coming into record items with the Clerk's office during voting times or to pay taxes have the ability to access the County Courthouse in a reasonable fashion.

Mr. Flores said City staff has developed alternatives to provide additional parking in additional locations. However, the issue comes back to an aged community having access to the County Courthouse and the parking in front of the Courthouse currently provides that. The County is in agreement with reducing the current number of spaces and providing adequate handicapped parking spaces. The County does want to reserve the angled parking in front of the Courthouse for use by constituents and residents of the County.

Mr. Flores said the issue of ownership of the parking in front of the Courthouse needs to be discussed and resolved – the County or the City. The County is moving to determine its property boundary, which information indicates is to a manhole in the center of the street which no longer exists.

Mr. Flores said Santa Fe County is requesting that Alternative #2 be selected for the next phase of the construction documents.

Dave McQuarie, with the Mayors Committee on Concerns of Disabilities. Mr. McQuarie read his statement into the record as follows:

Madam Chair:

Representative of the Governor's Committee on the Concerns of the Handicapped and the Mayor's Committee on the Concerns of Persons with Disabilities commented at the Pre-Design meeting on December 4, 2002 and reviewed revised project plan on January 29, 2003, reports in your package. We endorse the option #2 as the most compatible, with modifications, for ADA Compliance and Pedestrian safety.

Some items of concern that will be addressed prior to final design, are:

- 5 Configuration of various curb ramps.*
- 5 Absence of mandatory detectable warnings.*
- 5 At grade island and "Lentic crosswalk" at Burro Alley.*
- 5 Use of Federal funding on a project that is not fully ADA Compliant.*

In general, we support an improvement project at these intersections because there is an immediate need.

Thank you.

Ocean Manjahnii said she is speaking as a "die hard" pedestrian and a person with a disability. She said she is too new to Santa Fe to understand the area, without looking at the maps. She grew up in Portland, Oregon, where a Mayor did some radical transportation restructuring of an entire city, and a large arts agenda. She said Santa Fe economy is based around the placating of tourism. Her sense is to go with the traffic planner who has concerns about accidents caused by angular parking. She said the County should be concerned about laws that would hold the County responsible for accidents when angular parking is identified as a cause of vehicular traffic accidents. She believes the problems have been addressed in Alternative #1, and she urges adoption of this alternative. She left some collage materials at the City offices several weeks ago. Chair Heldmeyer said those were available in Maria's office last week and several people looked at them.

The Public Hearing was closed

Councilor Pfeffer congratulated staff on a very well done project. He asked, if the Committee chose Alternative #1 and could remove the angular parking and replace the spaces, with 3 parallel spaces, how would we meet the demand for the other 6 spaces. Mr. Devine said staff has spoken with parking officials who indicated they are willing, on special days, to "hood" meters in a close proximity to this area and/or provide space in the parking garage – voting days.

Councilor Pfeffer asked what about parking on normal business days when the spaces are almost always filled. Mr. Devine said that is an issue and those spaces would be lost under Alternative #1.

Councilor Pfeffer asked if all of the crosswalks are raised. Mr. Devine said there are standard crosswalks at the signal at the intersection with reconfiguring. The raised, in pavement lights will be the intersection crossing Grant Street. The crossing on Johnson will not have in-street lights, or be a raised intersection. He said there is concern about raising the crosswalks and installing lights, with regard to how the light will be shed down the street and onto the crosswalk.

Councilor Pfeffer asked if there was consideration of a placement of a stop sign on Grant at Johnson for traffic heading south. Mr. Devine said staff believes a stop sign there would be detrimental in the operation of the area because of the volumes of traffic and another traffic signal just a block away. Councilor Pfeffer said right now traffic can back up at the stop light to block Johnson Street at Grant, but a stop sign there would indicate you are not to go forward.

Councilor Pfeffer said there is a difference between alternatives at the crosswalk on Johnson. Alternative #1 shows it as an angle, and asked for an explanation. Mr. Devine said these are schematics and that there would not be an angular configuration in #1.

Councilor Bushee asked if there are regulations at the state level with regard to traffic lights and how close a stop sign can be to a traffic light. Mr. Nitzel said the state regulations pertain to the spacing of traffic signals. He said the same problems can occur with the spacing of stop signs and traffic signals. He said at the signals we are trying some innovative treatments. We are going to try an advance walk indication where the pedestrian walk signal goes on before the vehicle green which gives the pedestrian a head start to begin crossing prior to the vehicles. This is the highest pedestrian and automobile accident location in the downtown area. He said raised crosswalks at that site, could impact the drainage in that area.

Councilor Bushee asked about the ownership of the parking in front of the County. Mr. Nitzel said the right-of-way is indeterminate and has been used as parking by the City for a long time. He said the County is being helpful in determining the boundary. Councilor Bushee recalled this area was researched previously, probably two years ago.

Responding to Councilor Bushee. Mr. Nitzel said the basis for #1 as the preferred alternative is because staff believes it provides the best safety benefits as a project because it addresses the accident patterns related to the diagonal parking. The median helps to resolve that. He said people dart between cars when there is diagonal parking and the parallel parking minimizes that. He believes the narrowing of the road and the traffic signal improvement should both help as well.

Councilor Bushee said there will be an impact to this area in our decision as to how to treat the Plaza. She wonders if this decision should be made after a decision is made on the Plaza. She asked if the setback of Johnson is to be reconfigured, and if not does it matter in terms of the diagonal parking. She is concerned about safety and the potential to shift the

problem to another street. She asked what Greer is going to do about its property, or the proposal to make West San Francisco a one-way street. She doesn't want to make a decision which will have a domino effect, and she doesn't want to make a decision without knowing all of the other factors.

Mr. Nitzel said Councilor Bushee's questions go back to the complicated nature of the downtown area. He recommended we go forward with the project because it will fix this situation, or make it much better, regardless of what is done on the Plaza, or what happens with the Greer property. He believes these are model improvements. He said the Plaza Task Force will be making its final recommendations for the Council at its meeting tomorrow night, which should come to this Committee perhaps as early as next month. He believes these things are compatible with whatever the Plaza Task Force recommends.

Councilor Bushee said the only real difference in the alternatives seems to be the parking.

Mr. McQuarie said although angular parking presents a traffic safety problem, the disabled community prefers it over parallel mainly for loading and unloading. He said many times he has parked parallel and returned to find someone has parked right at his back bumper where he can't reload his wheelchair, and which has caused him to wait for a long time. He said also with angled parking there isn't as much back and neck motion required. He said the issue boils down to people or cars.

Councilor Bushee said it would seem just as difficult to parallel park as to park diagonally. Mr. Nitzel said diagonal parking is more dangerous because vehicles are stacked next to each other which limits vision and makes it difficult to back out safely. Responding to Councilor Bushee, Mr. Nitzel said there were some innovative designs in parking Colorado Springs which could be tried here. Councilor Bushee is concerned with the loss of parking.

MOTION: It was moved by Councilor Bushee, seconded by Councilor Coss that the Committee approve Alternative #2.

DISCUSSION: Councilor Chavez said he might have a problem supporting #2. He realizes that it is quite a task for Mr. McQuarie to load and unload his wheelchair, but he can't imagine him doing that at the diagonal parking on Grant Avenue because of the traffic. Mr. McQuarie said there is a bulb-out that protects him and he is not in the traffic flow, he is away from the flow. He prefers angled parking. Councilor Chavez said angled parking creates its own set of safety concerns. Mr. McQuarie said there are safety concerns, but it is preferred by the disabled community. Councilor Chavez said another disabled member of the audience spoke against angled parking, although he admitted that there are different levels of disabilities.

Councilor Chavez said although #1 reduces the parking in front of the Courthouse, there is a general shortage of parking in the downtown area. He asked if a time limit could be placed on the meters so there is more turnover. He said the City is willing to block off meters to

accommodate the County's need for parking on special days.

Mr. Devine said the County Commission asked if a time limit of ½ hour could be placed on any parking in front of the County.

Mr. Lujan said time limits can be placed. He said it is just not the County that relies on those spaces, there are businesses around the area that rely on some of the convenient curbside parking. He said we need to consider this in discussion of time limits. Councilor Chavez said he is speaking specifically of the 3 parallel parking spaces in front of the Courthouse and the 4 slots on the opposite side. He can see how business would use the parking on the opposite side, but he believes the parking in front of the Courthouse is used by people going into the Courthouse. Mr. Lujan said for the most part this is true, but it is considered to be open to anyone.

Chair Heldmeyer said the spaces in front of the Courthouse are often blocked off for early voting for long periods of time.

Mr. Vincent Lopez said the spaces blocked off for voting are blocked for 27 days for the statewide elections, and a lesser time for other elections, for a total of 42 days.

Councilor Coss said he would be more comfortable with #1 because it is the safest. He asked if the accidents caused by the angled parking were vehicle/pedestrian or vehicle/vehicle accidents. He said a fender bender is more acceptable than a broken leg or hitting a pedestrian. Mr. Nitzel said virtually all of the accidents were vehicle/vehicle, while the pedestrian accidents were concentrated at the pedestrian crossings. He said Mr. Gomez noted dart-out conflicts which potentially are pedestrian/vehicle accidents. Councilor Coss said this makes him lean toward Alternative #2 knowing the problem the County has with parking, and the median in front of the Courthouse. He appreciates Mr. Flores's comments.

FRIENDLY AMENDMENT: Councilor Coss would like a condition of approval that if the property in front of the Courthouse is found to be owned by the County, that the County share in the cost and the City reconfigure the parking so that there is better access to the Courthouse in this project. **The amendment was friendly to the maker.**

VOTE:	Those voting aye:	Councilor Bushee Councilor Coss
	Those voting nay:	Councilor Chavez Councilor Pfeffer

The resulting vote was a tie vote. The Chair voted yes, and the motion was passed by a majority of all those voting in the affirmative.

Chair Heldmeyer said she voted yes with the caveat that this needs to go to the H-Board for its overview. Mr. Nitzel recommended that this be on the consent calendar at the City Council meeting. Chair Heldmeyer would like it on the H-Board agenda first if possible.

1. **CITY OF SANTA FE TRAFFIC CALMING PROGRAM:**
 - A. **REQUEST APPROVAL OF A RESOLUTION FORMING A TASK FORCE FOR THE PURPOSES OF EVALUATING THE POLICIES, RULES, AND REGULATIONS OF THE CITY OF SANTA FE TRAFFIC CALMING PROGRAM. (COUNCILOR HELDMEYER)**
 - B. **REQUEST APPROVAL OF A RESOLUTION DELAYING THE PLANNING OR DESIGN OF TRAFFIC CALMING PROJECTS FOR MINOR ARTERIAL STREETS UNTIL THE GOVERNING BODY ADOPTS REVISIONS TO THE CITY'S TRAFFIC CALMING PROGRAM. (COUNCILOR PFEFFER)
(CARRIE LaCROSSE)**
- THIS IS A PUBLIC HEARING**

Proposed Resolution, sponsored by Councilor Heldmeyer, with attached FIR, is incorporated herewith to these minutes as Exhibit "7."

Memorandum dated March 4, 2003, with attachment including Proposed Resolution sponsored by Councilor Pfeffer, and FIR, to the Public Works Committee, from John Nitzel, Transportation Engineering Division Director, is incorporated herewith to these minutes as Exhibit "7(A)"

Memorandum dated March 5, 2003, to the Mayor and City Councilors, from Carrie LaCrosse, Traffic Calming Planner Supervisor, Traffic Calming Section, is incorporated herewith to these minutes as Exhibit "7(B)."

Statement for the record from Dave McQuarie, Chair, MCCPD, to the Public Works Committee, is incorporated herewith to these minutes as Exhibit "7(C)."

Email communication dated March 8, 2003, to Councilor Heldmeyer, from Kay Burr, regarding Traffic Calming Update, is incorporated herewith to these minutes as Exhibit "7(D)."

Email communication dated March 10, 2003, to Councilor Heldmeyer, from Dan Baker, regarding Traffic Calming Meeting Planning, is incorporated herewith to these minutes as Exhibit "7(E)."

Chair Heldmeyer said two Resolutions being considered this evening.

Ms. LaCrosse said she distributed a copy of the Before and After project speed counts on two of the traffic calming projects.

Public Hearing

Chair Heldmeyer gave each person 3 minutes to speak to the issue.

James T. Bolleter, 1080 Osage Avenue, said he is the applicant on record for the Osage Traffic Calming Project. He is in attendance to speak on behalf of Resolution A. He was a member of the Traffic Calming Task Force for eighteen months. He is against Resolution B saying he believes it would be detrimental to delay these projects any longer. He began petitioning the Council to do something about Osage in 1999 and 2000. He said there was an 18 month moratorium, basically, when they went through the traffic calming development for the program. Most of the programs that have been approved are in progress and are needed. He said a pre-traffic count in front of the schools shows an average of 7 mph above the speed limit. He said near his house it is more than 10 mph above the speed limit. He said the last traffic saturation resulted in the issuance of 35 tickets for speeding to people in a two-hour time period.

Mr. Bolleter said he and Councilor Coss obtained money for the Osage Traffic Calming Project through their State Representative. He said he isn't trying to get a reduction in traffic, he just wants the speeds to be reduced. He said the traffic counts and speeds on Avenida las Campanas and Garcia reduced the speed from 39-26 mph in a 25 mph zone, saying that even after traffic calming people are speeding, but there has been a significant reduction in speed. He believes these projects are critical for safety. He said most of the minor arterials in the City were never designed to be minor arterials, but rather local collectors for the neighborhoods. He said he was raised in the Osage neighborhood, and when he was a kid there weren't the speeds and traffic counts being experienced now. He said these streets have become minor arterials because of the traffic counts and necessity because of the lack of planning for the past twenty years to create more roads. He urged approval of Resolution A and disapprove Resolution B.

David McQuarie, is in favor of closing the Traffic Calming Program to re-evaluate, for administrative purpose, to know where they are located and how they were placed. He said there is an issue of ADA access and even access by small pedestrians such as elementary school children. Mr. McQuarie's statement for the record is as follows:

The proposal to suspend and to evaluate the administrative procedures of the Santa Fe Traffic Calming Project is endorsed.

One issue (procedure) that needs to be reviewed is pedestrian access in residential areas. For example, there are no curb ramps on Camino Consuelo at 4 of 5 intersections and on Avenida de las Campanas, 6 of 8 intersections and both driveways to the elementary school.

ADA stipulates that any alteration that affects the usability of a facility must be made accessible to persons with disabilities. Furthermore, it goes on, the regulations governing these are more stringent and do not allow public entities to claim undue financial burden.

Thank you

Mr. McQuarie said, in short, the City is going to have to come back to Camino Consuelo,

Avenida las Campanas and any other place where traffic calming was done to ensure that there are sufficient curb cuts.

Pat Simons, Casa Solana, said he understands that traffic calming measures are being considered for removal from Alamo Drive. He said the speed humps haven't decreased the amount of traffic, but it has decreased the vehicle speeds. He is in attendance to support Mr. Bolleter's recommendation. The issue is safety, and when the police aren't around people speed and run stop signs. He likes traffic calming in any residential neighborhood.

Peter Komis, President Don Gaspar Neighborhood Association said Booth Street is a very small street, and said the criteria needs to be changed when doing traffic studies on these kinds of streets, remarking Booth Street didn't qualify for traffic calming. He said it is difficult to run radar on Don Gaspar because it is one-way, and he will be collecting signatures for traffic calming in the neighborhood. He received the Chair's email with regard to Senator Rawson's proposed legislation, and he spoke with Senator Rawson in this regard and asked him to back-off on his proposal. Senator Rawson told him that he doesn't want to stop speed humps, but he doesn't want huge mountains on the street which prevent people from going 25 mph if that is the speed limit. He wants reasonable speed humps. Mr. Komis said East Santa Fe Avenue, West Santa Fe Avenue, and Berger Street have signs which say 25 mph which doesn't make sense to him in view of the fact that the speed limit on Guadalupe is 20 mph in the business district. Why do these small interior streets have a 25 mph speed limit.

Dan Baker, is a member of the Bicycle Coalition of New Mexico, President of Sun Mountain Homeowners Association which has speed concerns on Zia. He applauds good speed bumps and cautions against traffic calming techniques which present more danger for bicyclists which are roundabouts or physical narrowing of the street. He is for visual narrowing of streets with striping, he supports vertical speed bumps as long as they're not "out of control." He said with regard to Resolution B, that we don't want to stop our traffic calming efforts and he would hate to see projects which have been waiting for two years, such as Zia, to be placed on hold suddenly while we back-peddle and study everything. He also urged the Council and the Traffic Division to make use of some excellent documents which are available on-line from the City of Portland in terms of what kinds of humps do and don't work, what kinds their fire engines can and cannot go over, and the before and after results. There are huge amounts of statistics. He said the City can save money by using those studies.

Dr. Irene Sanchez, 824 Baca, said for years the residents have been working to achieve safety and believed they had finally reached their goal and that safety would be achieved through installation of traffic calming devices in place this spring. Now, months shy of that goal, it is found that it faces another obstacle in Resolution B. She said the Council approved the process for neighborhood traffic calming, and the neighborhood respected that process. They worked long and hard for the traffic calming. She said there are about 8,000 vehicles a day on Baca Street. The neighborhood gave its support to this effort, and believe that their efforts and wishes must be respected by the Committee. She asked that the Committee vote against Resolution B.

Pete Garcia, 537 ½ Garcia Street, said he is in attendance to Support Resolution A, and to ask the Committee to vote against Resolution B. He said traffic calming does work and reduces speed, remarking that he doesn't like the signs. Traffic calming makes a more pedestrian friendly neighborhood, reduces speed, and results in a friendlier neighborhood.

Clayborn Booker, 320 Cadiz Road is in favor of Resolution A and against Resolution B. He said the traffic calming project has been one of the most interesting and visible signs of activity here in the City of Santa Fe over the past two years. He said Ms. LaCrosse and Mr. Nitzel and their teams deserve thanks and he is delighted with the results. The streets are better for the effort, and he would argue for expansion of the program. He would like to see traffic calming on Old Santa Fe Trail. He would like feedback from the public as to how we can make the program better, but he doesn't think a moratorium is a good idea.

Steve Coca, 1117 Camino Consuelo said he is President of the Southwest Bellamah Association. He said he noticed about two years ago that trucks were cutting through the neighborhood to go to Walmart and other places, and these trucks were speeding. A year ago he obtained petitions from the neighbors and 84% of the residents of Camino Consuelo were in favor of traffic calming. He said there are three traffic humps on Camino Consuelo and said this is the best way the City could spend its money. He would like more traffic calming devices. He isn't sure the Task Force needs to be revived, and believes the tweaks and criteria could be revised in the Traffic Calming Section. He isn't in favor of a moratorium on traffic calming and believes it would be a disservice to the residents.

Hubert von Hecke, 871 Don Cubero, said he speaks on behalf of the Don Diego Neighborhood Association with regard to traffic matters. He is the petitioner for the Don Diego traffic calming project. He was the chair of the citizens task force which developed the program along with staff from Planning and Engineering. He said the program was based on facts gathered from programs all around the country, Canada and many European programs. He said the Task Force was aware that sooner or later numbers might need to be tweaked to adjust the criteria for selection and implementation. He said when all of the data is received on the projects we can go back and tweak the program. He said the minor arterial class is the class now under scrutiny, but there isn't enough data to warrant a moratorium. He believes this is premature and would be a waste of time without information and data to examine. The traffic calming programs work and are popular.

Laura Wilson, 1107 Don Cubero, gave historical background on her neighborhood association's efforts to calm traffic. She said the traffic volume is high and the speeds are tremendous and asked that this project not be delayed.

Lois Snyderman, 912 Los Lovatos said she is speaking on behalf of the Neighborhood Network on what to do with the traffic calming program at this point. She said it is important to get the information needed to assess the traffic calming program and to get the maximum input possible from the general public on the program, both pro and con, and to hear from the

neighborhoods before changes are made or a moratorium imposed. She believes a moratorium is premature. She urged support of Resolution A, and to give the Task Force the responsibility to hear the community and to gather the information needed to evaluate the existing program.

Allison Dilinger, 831 Piat Street said she is a member of the Baca Street Traffic Calming Committee and she is speaking for herself. She said their efforts began in 2000 as a response to excessive speeds before the City created the traffic calming program. Their neighborhood met the criteria for the program. She said a traffic study conducted in May 2002, on Baca showed 6,829 cars daily with an average speed of 35 mph. Baca is a very narrow street. 137 ballots were mailed to the neighbors for a formal vote on traffic calming. She said of the ballots received, 84 were in favor and 4 against traffic calming measures. Baca Street is now on the waiting list for the project to begin next month or in May. She said there is now frustration, and one more meeting, one more hoop to jump through, and one more battle if Councilor Pfeffer's resolution passes. The City will prove itself a bad partner if Resolution B is passed. She asked that the traffic calming measures be implemented in the anticipated time frame with existing funds.

Jess Hortenstone, said he a member of the Baca Street Traffic Committee, and is against any delay in their project. He invited the Councilors to drive down Baca and said there is a clear and present danger on that street. He said Mr. Nitzel has developed a beautiful plan to rebuild the intersection of Baca and Hortensia, although he is told there is no money available to do this. He spoke of the many accidents on the street, and the need for traffic calming measures. He said the streets serve the neighborhoods and said, "We need our traffic calming now."

Barbara Fixe, 610 Alicia, said her neighborhood is much impacted by what happens on Baca. She is speaking on her own behalf, although she spent many hours working on the Sierra Vista project. She said it is important that the Task Force be reconvened to address the problems that have arisen in the program. She said the problem is speed not the volume of traffic. She said there have been complaints about various devices. She said the chicanes on Paseo de Peralta make it dangerous for bicyclists. She said the Resolution for a moratorium is an insult to the neighborhood. She believes democracy is a great thing. She is in favor of Resolution A and definitely against Resolution B.

Annette Catanach, 1530 Hickox said she is not in favor of a moratorium. She lives at the corner of Hickox and Baca, and with two children and it is hard for her household to live with the traffic that is going on. She is awakened in the early hours in the morning by the traffic on both sides of her house. She thinks a moratorium would be unfortunate because everyone has worked very hard to make their neighborhood safe.

Joseph Ortega, lives on the East corner of Baca and Hickox across from Ms. Catanach. He agreed with Ms. Catanach and said he gets traffic from both directions. He said people drive at excessive amounts of speed. He said he is asking for the traffic to be calmed so it will be safer in the area. He said the wall on his house has been rebuilt because of vehicles hitting it from different directions.

Ocean Manjahnii said she is vehemently for Resolution A, and against Resolution B. Although she lives in Casa Solana, she is in deep solidarity with the Baca Street residents. She loves walking on that street, and said that street should be a one-way street and there should be no turn-off from Cerrillos onto Baca, and supports speed humps on Baca. She recited her experiences in Portland with traffic development and redevelopment. She can't believe there is a proposal to stop this project.

Miguel Gabaldon, 2344 Las Casitas, said he opposes the installation of unwarranted stop signs. He sees the City's efforts in traffic calming as a benefit compared with stop signs. He said it wouldn't be a good idea to impose a moratorium and put all of the hard work of the neighborhoods on hold. He recommended and requested that the Committee, in considering Resolution A, look at the global picture and not just the streets where the devices are placed, but where traffic is disbursed and how those neighborhoods are impacted by the traffic calming. He said Camino las Campanas has all the traffic calming devices, which results in the traffic going to Camino Carlos Rey which has no devices between Siringo and Zia. He said some of the issues today were created by the lack of planning 20 years. He would like to look at the efforts and anything in the future which could address the concerns, and which could be considered as alternatives.

Maria Pope, a resident on Don Gaspar, said she eagerly awaits speed humps on her street. She was surprised with the complaints about the speed humps in the New Mexican. She believes these people don't walk, otherwise they would understand how stressful it is to walk in Santa Fe. She reminded the Committee about an article in The New Mexican last November, the headline read, "New Mexico Dead Last for Pedestrian Safety." The national study found that 12% of all deaths in Santa Fe in 2000-2001 were pedestrian deaths. People in cars have air bags, seat belts and a huge metal shell to protect them, but there is nothing to protect a child, an elderly couple. She believes they should have protection as well, especially since we should be encouraging non-polluting forms of transportation. She said any pedestrian safety amenity is an investment in the quality of life on many different fronts. She supports Resolution A and not B.

David Coffey, Camino Principe said he is in favor of Resolution A and not B. He believes the traffic calming devices on Camino de las Campanas are working and doesn't think we should have a moratorium, and agrees with Mr. Gabaldon that we need more planning, not less traffic calming.

The Public Hearing Was Closed

Councilor Chavez asked Ms. LaCrosse if the original traffic calming program did call for a review, and asked if it is about time to review the program. Ms. LaCrosse said it did call for a review and she believes this is a perfect time to review the program — some of the projects have been completed and we are starting to have after-data, starting to have an idea about design issues.

Councilor Chavez said he received a call from John and Joan Clubbe, 1266 Canyon, who were not able to be in attendance, to voice their support for the resolution to form a task force, and asked that this be entered into the minutes.

Councilor Chavez said the residents of Baca Street have worked very hard, and as one person said, "Democracy is a very interesting process." It is also sometimes frustrating and can even be messy at times. He supports the 60% which have signed onto the Baca Street traffic calming, although he has friends who are in the minority. He is going to take a hard position and support the majority because that is how democracy works. He wants to respect the process, all of the hard work and dedication that those citizens have put into making our community a better place to live, walk and bike. He supports the Resolution to form a task force to reevaluate the Traffic Calming Program.

Councilor Pfeffer expressed thanks to everyone who came to the meeting and speaking in our democracy. Councilor Pfeffer said his resolution is not an attempt to stop traffic calming, it is not an attempt to stop traffic calming on minor arterials which are slated to have that, it is not an attempt to apply rules retroactively to people who have abided by a process. It is an attempt to address a situation in which there have been a lot of complaints as has been seen in the newspaper and he has received complaints via email and phone. It is an attempt to include in the process of decision-making on minor arterials, those people who are impacted by the decisions made by the people living on streets where traffic calming is being requested. It is not an attempt to belittle or to demean the safety, the noise or the traffic issue. He served on the Board of the Hillside Neighborhood Association and well aware of traffic and safety issues. This is an attempt to ask that we look at the ordinance and see how it can be changed in a positive way so that noise, traffic and safety can be addressed at the same time the traffic can be kept moving.

Councilor Pfeffer said Ms. LaCrosse distributed a memorandum which states that speeds on Avenida de las Campanas and Garcia have been reduced. Ms. LaCrosse said this is correct. Councilor Pfeffer said those are streets where humps and signs and other devices have been placed. Ms. LaCrosse said this is correct. He asked where on the streets they were placed. Ms. LaCrosse said this information is in the memorandum.

Councilor Pfeffer asked Ms. LaCrosse to keep her answers as short as possible because other Councilors have a slew of questions and he doesn't want this issue to "drag on" past anything necessary.

Ms. LaCrosse said the devices were placed on Avenida de las Campanas at the school, north of the intersection of Alamosa between Alamosa and Siringo, in front of the park and south of the Bosque intersection but before Rodeo. Councilor Pfeffer asked if they were in the middle of the stretches between vertical devices like speed humps or raised crosswalks. Ms. LaCrosse said frequently, and an effort was made to get them 100 ft. off of one of the devices. Councilor Pfeffer said then they weren't placed at, or near, vertical devices, speed humps. Ms. LaCrosse said not within more than 100 ft.

Councilor Pfeffer said then you know the speeds after cars have gone over a hump, but you don't have data at what speeds cars are crossing humps. Ms. LaCrosse said she does not, but this could be measured.

Councilor Pfeffer said his Resolution addresses a delay in reviewing plans in process until these are reviewed for minor arterials, noting that major arterials or highways are exempt from the program. Ms. LaCrosse said this is correct. Councilor Pfeffer asked what are the major arterials. Ms. LaCrosse said that would be St. Francis, Cerrillos Road, St. Michaels, West Alameda, Agua Fria, Rodeo Road, Zia from St. Francis to the West. He asked if the following streets are major arterials: Old Pecos Trail, Airport Road, Guadalupe. Ms. LaCrosse said they are. Ms. LaCrosse said Alameda from St. Francis to the West is a principal arterial, Alameda from St. Francis to the East is a minor arterial. Councilor Pfeffer asked about Hyde Park Road and Bishop's Lodge Road, to which Ms. LaCrosse replied these are minor arterials. Responding to Councilor Pfeffer, Ms. LaCrosse said Airport Road, North Guadalupe and South Guadalupe are principal arterials, and Siringo Road, Siler Road, Camino Carlos Rey are minor arterials.

Councilor Pfeffer said many major streets, which are through streets and handle large volumes of traffic are eligible under the present rules of the program. Ms. LaCrosse said the streets must be residential in nature.

Councilor Pfeffer asked which of the minor arterials are in the process of traffic calming, but not yet built. Ms. LaCrosse said those listed in his Resolution, which include Baca, the southern portion of Paseo de Peralta [which is to receive a pedestrian safety treatment at the Alarid intersection], Osage, Camino Cabra, Camino Cruz Blanca and Don Diego. Councilor Pfeffer asked if the Council were to pass the Task Force Resolution which would report back at the end of September, where would these projects be in the process before those answers were received back. Ms. LaCrosse said Baca and Paseo de Peralta South have received neighborhood approval and construction could begin within a two-month period. Osage, Cabra, Cruz Blanca and Don Diego are still in the midst of neighborhood planning, and construction could begin in 3-4 months.

Councilor Pfeffer asked if people on adjacent streets vote on whether or not a project happens on a specific street. Ms. LaCrosse said the program includes people whose property edges on a street, or on a cul-de-sac, a dead end or a loop road where they have to access the street to get off their street.

Councilor Pfeffer asked if people on Don Cubero may testify at hearings or attend meetings have a vote when it comes to Don Diego. Ms. LaCrosse said they do not.

Councilor Pfeffer asked about the appeal process to object to a decision on a project. Ms. LaCrosse said the project requires 60% approval. Once the City has built the project, the City would require a 75% vote from the neighborhood to consider removing some aspect of the project. Councilor Pfeffer said this is the same group of voters which approved the project and it

takes more of them to change any aspect of it. Ms. LaCrosse said once constructed, this is true.

Councilor Pfeffer asked Ms. LaCrosse if anyone can bring an appeal to the Council or a decision on a street. Ms. LaCrosse said the Council must approve the construction contract and a group of Councilors who didn't like a project could decide not to approve her expenditure of the funds. He said doesn't this "fly" in the face of the spirit of what people have testified to this evening.

Councilor Wurzbarger said you can only go up Camino Cabra to get to Cruz Blanca, and asked if the neighbors on Cruz Blanca have voting rights on Camino Cabra. Ms. LaCrosse said technically they could vote.

Councilor Pfeffer said the only reason he suggested a delay, or a moratorium on the minor arterials in the process, is because another Councilor brought forward a Resolution which provides for a Task Force with a deadline of September 24, 2003, noting that there are six minor arterials in the process right now. This means there would be no opportunity to address all of those minor arterials or any other minor arterials that will apply in the interim and the work of that task force would be shortcut, unless there was a hold on projects so that we could look at these projects and how they happen and see which devices work best to slow traffic to the speed limit and work best to keep traffic flowing. He said we live in a City which does not have a rectilinear grid and major and minor streets. We have a handful of major streets that "go every which way without any particular geometry to them." His personal experience in riding on the treated streets is that the traffic is slower, and there are fewer cars. As often as not, however, people slow almost to a stop at speed humps. The problem is that people want to get somewhere and part of the common good is moving traffic along. He wonders if the end result is calming traffic for the people who live there, but it isn't so calming to other people.

Councilor Pfeffer said he would like to see an appeals process which is more inclusive, and that beyond people who live on a given block, that people who are impacted or potentially impacted, can participate in getting petitions signed as well as voting. He said he wouldn't be proposing a moratorium if there weren't a Task Force proposed with a 6 month deadline, and if that Task Force weren't to be totally composed of everyone who did the original program. He believes there should be a common good "thing" about keeping traffic moving which was addressed this evening in some manner.

Councilor Heldmeyer is surprised to hear that the moratorium was only in response to the Task Force, because that isn't the history she heard. She said as traffic calming was implemented around the City, people had a number of different questions, some brought up by Councilor Pfeffer which are reasonable questions to ask. Some are questions that weren't brought up this evening that may be brought up later. Because the program is designed to be the essence of democracy in the sense that people all over the City worked on these issues for eighteen months. She knew there were some Councilors who want to get their hands on this program and change things about it because there are things which they didn't like personally, or they knew individuals who didn't like things about it. There was talk about doing things

administratively. She said staff has worked very professionally, diligently, sticking to the rules passed by the Council. She said it seemed more important to honor the process used to get to this point. The ordinance provides for a reevaluation. There are reasonable questions, many of which are listed in the Resolution, and a few may arise that aren't listed in the Resolution. It seemed reasonable to use that same process again, and because the people on the Task Force served so hard and so long, and had acquired expertise in the specific technical areas which deal with traffic calming.

Chair Heldmeyer said her Resolution was written to reinvigorate the Task Force. She said not everyone who served previously will be able to serve again for various reasons. That Task Force seemed to provide a good mix of people who had worked on this before, had that knowledge, and knew people who could come in and give it a fresh eye, but still using the mechanism that led us to a program about which inquiries have been received nationwide, because it is so democratically based. She said other people can go through the neighborhood any time they want, but they aren't to go through over the speed limit. She said there are various ways to deal with the speed, but it is too costly to have police officers on every corner and it is not realistic. She said perhaps if the City can get into the world of electronic camera oriented tickets, which might be more of a deterrent. However, those have problems in terms of legality and privacy, and that people won't really like those either.

Chair Heldmeyer asked what is the best way to get what everybody agrees that they want – people obeying the law. Just because people are used to speeding through your neighborhood doesn't make it right or legal. She said we need to install a way to get people not to speed through neighborhoods, in the most fair, economical manner possible, to protect the safety of the residents. She said there has been a tremendous amount of effort by the people to get traffic calming in their neighborhood, and an example of the need.

Chair Heldmeyer said Councilor Pfeffer offered to co-sponsor her resolution if she would include several items which have been problems to which she agreed. However, she said he wanted to put a moratorium on the minor arterials, and she said, "Absolutely not." She said putting everything on the back burner until another time seemed to be very unfair to the process, unfair to the people involved and she refused that amendment. This is why there is a separate Resolution. A moratorium is designed to stop traffic calming on the very streets which need it the most. She knows that everyone doesn't like traffic calming and all of its ramifications, and these are things that we can reach with this Task Force. She is absolutely opposed to putting the brakes on people who have worked so hard and so long to get traffic calming in their neighborhoods while we evaluate some aspect of traffic calming. She said many of the minor arterials are really little residential streets which have become minor arterials because of the nature of the City and how it has grown.

Chair Heldmeyer said Ms. LaCrosse's numbers demonstrate that people have been slowed by traffic calming, and she wants to see as many neighborhoods as possible, which have done the work, to get traffic calming.

MOTION: It was moved by Councilor Bushee, seconded by Councilor Chavez, that Resolution A be approved.

DISCUSSION: Councilor Bushee asked Ms. LaCrosse how much is left of the \$2 million which was appropriated for traffic calming. Ms. LaCrosse said only about \$750,000 has been spent. She said the minor arterial projects are about \$425,000 plus the separate \$200,000 appropriation from the State. There is a whole slate of local and collector streets which are coming forward, most of which are in balloting, and will use the balance of the funds. Councilor Bushee said then once the balloting is complete the money will be spent.

Councilor Bushee said previously the only tool to slow traffic was to install stop signs. She said the problem had become critical in Casa Solana because of the cut through traffic on Camino Crucitas from La Tierra and other areas. She said this program was developed as an actual process where a large majority of the people must vote to have a project, and not as a way for Councilors to get their own pet project done. She gives an enormous amount of credit to Carrie LaCrosse and John Nitzel and the people in the department who have done a phenomenal job with the public.

Councilor Bushee said the process has been fair, thorough and thoughtful, and not everyone could get funded in the first round of the program. Hopefully, the Council can fund this program further into the future. She doesn't see a problem regarding due process. This is a great program, although everyone doesn't like the devices and there are some things which need tweaking which she believes is all that is offered in Councilor Heldmeyer's Resolution. She said we don't need to pull the plug on this very democratic process at this juncture. She suggested that Councilor Pfeffer suggest people to serve on the Task Force, pointing out that everyone won't be able to serve again because of various reasons. Councilor Bushee said the traffic is moving along, but it is moving slower. She applauds everyone who has participated and urged those with problems to get involved with the Task Force.

Councilor Coss said he will support Resolution A, noting that he has had zero complaints about traffic calming since he has been on the Council. He said Ms. LaCrosse has done an excellent job. He said there are projects in his district which people have worked very hard to get into the program, and knows other districts have worked just as hard. He believes the Task Force is a good idea, and he is especially concerned about bicycle transportation and compliance with ADA.

Councilor Chavez said one of the first traffic calming programs with which he was involved was the 1992 truck ban on Agua Fria, before there was an official traffic calming program. He said some streets may never get traffic calming which it needs. He said we are siphoning money from CIP projects to the water division, and had this not been done we would have a little more money to continue the traffic calming program. He hopes CIP can be repaid by the water division so CIP can refocus on projects such as traffic calming and roads.

Councilor Pfeffer said he would be glad to pull Osage out of his Resolution since that involves state funds. He is sympathetic to the residents of Baca Street.

FRIENDLY AMENDMENT: Councilor Pfeffer would like to amend Resolution A to provide for a nine member Task Force appointed by the Mayor. **The amendment was not friendly to the maker.**

FRIENDLY AMENDMENT: Councilor Pfeffer would like the deadline for the evaluation by the Traffic Calming Program Evaluation Task Force be the last Council meeting in April instead of September 24, 2003. **The amendment was not friendly to the maker.**

Councilor Pfeffer said he will then take his Resolution to the City Council for consideration because he believes the interests of the City as a whole are not being fully addressed. This is the only program where there is no appeal process which seems to him not to be democratic at all. He said there is no intention to get in the way of the program which he believes to be a good one.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

MOTION: It was moved by Councilor Pfeffer to approve Resolution B.

THE MOTION DIED FOR LACK OF A SECOND.

Chair Heldmeyer said Resolution goes before the Council on Wednesday afternoon, although it will not be a public hearing.

15. REQUEST APPROVAL FOR CONCEPT APPROVAL TO VACATE PUBLIC RIGHT-OF-WAY AND ESTABLISH PRIVATE INGRESS AND EGRESS SUBJECT TO EMERGENCY AND OTHER CITY VEHICLE ACCESS. (REYES ARAGON)

This item was withdrawn by the applicant to be postponed indefinitely.

16. STAFF RECOMMENDATIONS FOR ITINERANT VENDORS ON CITY OF SANTA FE RIGHT OF WAY. (REYES ARAGON)

Memorandum dated February 28, 2003, with attachments, to the Public Works Committee, from Reyes Aragon, Land Management Specialist and Carlos Martinez, Small Business Ombudsman, is incorporated herewith to these minutes as Exhibit "8."

The staff report was presented by Ms. Aragon which is contained in Exhibit "8." She said as a point of information there are lease agreements on City property, one on Cerrillos Road right-of-way and at the Burrito Company, although these aren't considered as itinerant vendors. She said as an alternative to the Resolution, staff recommends that the Committee support Section 23-4.8 which considers vendors on City right-of-way or property as a nuisance and not support any further authorization of vendors on public right-of-way. Staff will be presenting proposed code amendments regarding itinerant vendors on private property.

MOTION: It was moved by Councilor Chavez, seconded by Councilor Coss that the Committee approve the Resolution, as amended, contained in the packet.

DISCUSSION: Ms. Reyes said the Committee can either vote for the Resolution in the packet or vote against it and declare that itinerant vendors on City right-of-way are a nuisance under existing law and support no further authorization.

Councilor Chavez said if the policy in the Code is strong enough then the Resolution is a mute point, noting that he is comfortable with that.

Chair Heldmeyer said the existing code says it is a nuisance, but the Council can over-ride the provisions of the ordinance. Ms. Price said the Council can make special authorization under the code. She said there could be a Resolution that provides the Council will not give that special authorization. The Resolution in the packet provides that staff will find appropriate locations and then develop rules for those locations.

Councilor Chavez said then Section 5 could be deleted from the Resolution.

Councilor Coss said he caused this situation, and he said, given the City's current situation, this isn't the best way to use staff time.

Councilor Chavez asked if Section 23-4.2 strong enough to do what we want to do if we want to discontinue the process. This section permits evaluation on a case-by-case basis. Chair Heldmeyer said the ordinance prohibits this, with an escape clause for the Council to override the provision. Councilor Chavez said we need to remove that loophole. Chair Heldmeyer pointed out that to revise the Ordinance would be to go through the amendment and publication process as if we were enacting a new Ordinance. One possibility would be to pass a Resolution which provides that we uphold the Ordinance and encourage the council not to use the escape clause. WITHDRAWAL OF MOTION AND SECOND BY MAKER AND SECOND.

Chair Heldmeyer said direction to staff is that if any itinerant vendors want to vend on City land, staff is to show them the ordinance and say that we don't do that. Ms. Reyes said there are potential conflicts with neighbors and businesses, potential liability issues, conflicts between vendors, perpetual rights by vendors.

Chair Heldmeyer said if any Councilor has the time to work on the issue and bring it back

to the Committee that would be fine.

After further discussion, it was the consensus of the Committee to take no action on this issue at this time.

17. MATTERS FROM THE COMMITTEE

Councilor Chavez said he had intended to pull Item #9 from the consent agenda for discussion, but he forgot and didn't want to backtrack later in the meeting. He asked if there is a cost by the Airport to do the Discharge Plan which was submitted to EPA, and if the Airport had to meet the same deadline as the city on its NPDES. Mr. Lujan will obtain this information.

Councilor Chavez said the City's plan was done in-house, thus saving about \$100,000 on that piece of work. Mr. Lujan said this goes next to Finance and then to City Council.

Councilor Chavez said the Airport is claiming that there is little or no runoff generated from the Airport and there isn't enough to measure or monitor. He finds this hard to believe. He wonders if the Airport is placing the onus on the EPA because it isn't funded and is claiming there is no runoff. He will be following this because this approach seems to be counterproductive. If the plan is felt to be insufficient by EPA then it will come back to the Airport with needs to be addressed and the City will have to do something. Mr. Lujan said these questions can be answered by the time of the Finance Committee meeting, or the Council meeting.

Councilor Coss said that the County Commission will consider the legislation which is being carried by Senator Maes at its meeting tomorrow at 4:00 p.m. This legislation would eliminate City authority in the extraterritorial zone and in annexation – we lose zoning, platting, EZA and annexation authority under Senator Maes' amendments. He said the Commission was unaware of this action and it was placed on the agenda for discussion tomorrow, and invited the City Council to attend and provide input.

Chair Heldmeyer has heard rumors that there will be an emergency resolution. Councilor Bushee said this most likely will be voted on prior to the Council meeting. It is being heard by House Government Affairs only and then to the floor which meets on Tuesday. She hopes that a majority of the Council and the Mayor contact the City Lobbyist. Chair Heldmeyer said the Lobbyist is aware of the bill and has called the City Manager for edification.

Councilor Chavez said he asked the City Manager to ask the City Lobbyist to work on things other than water projects such as impact fees.

Councilor Coss said he has had a request to check the railroad crossing at Paseo de Peralta which is crumbling and getting worse. Mr. Lujan is aware of that and has spoken with Lawrence Ortiz who is trying to contact the current owner of the rail track to get this fixed.

Councilor Bushee asked about the issue of someone parking vehicles on our property and if they were booted off. Mr. Lujan said this is something with which the non-profit Railyard Corporation needs to deal.

Councilor Bushee said there are piñon trees on City owned land ,which need to be removed because of bark beetle infestation. She asked if crews are going out. Mr. Lujan said Mr. Chavez came forward with a recommendation to eradicate some of the dead trees, but he is unsure of the exact locations. He will ask Mr. Chavez to contact Councilor Bushee in this regard.

Chair Heldmeyer said there was a letter to the editor claiming that bark beetle damage to piñon was not as much a fire hazard as it was to other trees. She would like Mr. Chavez to see and evaluate that letter.

Councilor Bushee said there is ATV destruction of some fragile lands all over town, and asked for follow-through by the Police Department.

18. **NEXT MEETING: MARCH 24, 2003**

18. **ADJOURN**

There being no further business to come before the Committee, and the Committee having completed its agenda, it was moved by Councilor Bushee, seconded by Councilor Coss that the meeting be adjourned. The motion carried unanimously and the meeting was adjourned at 9:00 p.m.

Karen Heldmeyer, Chair

Melessia Helberg, Stenographer